

THURSDAY, MAY 18, 1911.

10 O'CLOCK A. M.

The Senate met pursuant to adjournment.

The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Cook, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, Humphries, Johnson, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—31.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal of May 17 was dispensed with.

The Journal of May 17 was corrected and approved as corrected.

Mr. Hilburn moved that the Journal of May 13 be corrected on page 13, on 5th line from bottom of said page, so that the Senate amendment offered to House amendment to Senate Bill No. 55 shall read: "Strike out the word 'one thousand' where the same appears in said amendment and insert in lieu thereof the following: 'two thousand five hundred,' instead of reading strike out the word 'thousand' where the same appears," etc., as it occurs in the Journal of that date.

Which was agreed to.

And the correction was ordered to be made.

Mr. Sloan moved that the following correction be made in the Journal of April 18, 1911, to wit:

Correct the Journal of Tuesday, April 18, 1911, on page 21, by inserting after the yea vote upon the passage of Senate bill No. 32, the following:

"Nays—None."

And that the Secretary of the Senate be instructed to make this correction in the written Journal of the Senate.

Which was agreed to.

And the order was made.

Mr. Johnson moved that the Senate request the House of Representatives to return Senate Joint Resolution No. 7, the same having been a clerical error of transmittal to the House. Mr. Johnson stated that the Secretary had called his attention to the fact.

Which motion was agreed to.

And the recall of Senate Joint Resolution No. 7 was ordered to be certified to the House of Representatives immediately.

#### REPORTS OF COMMITTEES.

The Committee on Appropriations reported without recommendation on—

Senate Bill No. 346:

A Bill to be entitled An Act to appropriate five thousand dollars for farmers' demonstration work, and providing the method for expending the same.

Also—

Senate Bill No. 258:

A Bill to be entitled An Act to authorize the Governor to complete the historical archives of the State of Florida, and making appropriation therefor.

Also—

The Committee on Pensions report favorably on—

Senate Bill No. 167:

A Bill to be entitled An Act to amend Chapter 5877, Laws of Florida, being An Act to make appropriation for the maintenance of the Confederate Soldiers' Home, in Jacksonville, Florida.

The Committee on Appropriations reported favorably on—

Senate Bill No. 286:

A Bill to be entitled An Act to provide for the present indebtedness of the State Reform School.

The Committee on Appropriations reported favorably on—

House Bill No. 62:

A Bill to be entitled An Act providing for the employing of a janitor for the Capitol building; prescribing his duties and providing for his compensation.

The Committee on Appropriations reported favorably on—

House Bill No. 560:

A Bill to be entitled An Act making appropriations to cover the cost of certain repairs to the Capitol building.

The Committee on Appropriations reported favorably on—

House Bill No. 313:

A Bill to be entitled An Act directing that a statue of Dr. John Gorrie be placed in the National Statuary Hall in the Capitol of the United States at Washington, in the District of Columbia, and directing the Governor to appoint a commission to take the necessary steps to that end and making an appropriation therefor.

Mr. Williams moved to waive the rules and that Senate Bill No. 214 be re-called from the Committee on Engrossed Bills.

Which was agreed to by a two thirds' vote.

Mr. Williams moved to reconsider the vote by which the following amendment to Senate Bill No. 214 was adopted on yesterday, to wit:

In Section 2, lines 6 and 7, strike out the words "be and the same are hereby confirmed as under said chapter provided for," and insert in lieu thereof the following: "shall not in any manner be affected by this Act."

Mr. Williams moved that the rules be waived and that the motion to reconsider the adoption of said amendment be now considered.

Which was agreed to by a two thirds' vote.

The motion to reconsider the vote by which the amendment was adopted was agreed to.

Mr. Cook offered the following amendment to the amendment to Senate Bill No. 214, just reconsidered:

In Section 2, lines 6 and 7, strike out the words "be and the same are hereby confirmed as under said Chap-

ter provided for," and insert in lieu thereof the following: "Shall not be confirmed nor revoked by this Act except as provided for in Section 18 hereof."

Mr. Williams moved the adoption of the amendment.

Which was agreed to.

Mr. Dayton offered the following amendment to Senate Bill No. 214:

In Section 14, line 13, strike out the words "one thousand," and insert the following: "Five hundred "

Mr. Dayton moved to adopt the amendment.

Upon which a yea and nay vote was demanded.

The roll was called and the vote was:

Yeas—Senators Baker, Calkins, Carney, Cook, Dayton, Finlayson, Henderson, Hosford, Humphries, L'Engle, Perkins, Wilson—12.

Nays—Mr. President, Senators Adkins, Broome, Culpepper, Flounoy, Hilburn, Hudson, Massey, McCreary, McLeod, McMullen, Miller, Sloan, Williams, Withers, Zim—16.

So the amendment was not agreed to, and the bill, as amended, was referred to the Committee on Engrossed Bills.

Mr. Hilburn moved to waive the rules and that House Joint Resolution No. 10 be taken up out of its order and now considered.

Which was agreed to by a two thirds' vote.

And—

House Joint Resolution No. 10:

A Joint Resolution of the Legislature of the State of Florida ratifying and approving the proposed amendment to the Constitution of the United States relative to the income tax.

Was taken up and read the third time in full as follows:

A Joint Resolution of the Legislature of the State of Florida ratifying and approving the proposed amendment to the Constitution of the United States relative to the income tax.

Whereas, The Sixty-First Congress of the United States of America, at the first session begun and held in the City of Washington, on Monday, the 15th of March, 1909, proposed an amendment to the Constitution of the United States, in words and figures as follows:

Article XVI. Congress shall have power to lay and collect taxes on incomes from whatever source derived without apportionment among the several States, and without regard to any census of enumeration.

*Be It Resolved by the Legislature of the State of Florida:*

Section 1. That the foregoing resolution, being the Sixteenth Amendment to the Constitution of the United States, be, and the same is hereby approved and ratified.

Section 2. That the Governor of this State is hereby required to forward certified copies of this preamble and joint resolution to the President of the United States, to the presiding officers of the United States Senate, and to the Speaker of the United States House of Representatives.

Also the following Senate amendment thereto was read as follows:

After the last word in said Joint Resolution insert the following: "and to the Secretary of State of the United States."

Mr. Calkins asked unanimous consent to offer a substitute to House Joint Resolution No. 10, now on its third reading.

Which was objected to.

Mr. Calkins moved to waive the rules and place House Joint Resolution No. 10 back upon the second reading, for the purpose of amending the same.

Upon which a yea and nay vote was demanded.

The roll was called and the vote was:

Yeas—Senators Adkins, Calkins, Carney, Cook, Dayton, Finlayson, Henderson, Humphries, L'Engle, Malone, Massey, McCreary, Perkins, Wilson—14.

Nays—Mr. President, Senators Broome, Culpepper, Davis, Flourney, Hilburn, Hosford, Hudson, McLeod, McMullen, Miller, Sloan, Stokes, Williams, Zim—15.

So the motion was not agreed to.

Mr. Calkins asked unanimous consent to have the proposed substitute to Senate Joint Resolution No. 10 spread on the Journal.

Which was unanimously consented to.

The proposed substitute by Mr. Calkins reads as follows:

Substitute for House Joint Resolution No. 10:

Be it resolved by the Legislature of Florida, That the proposed amendment to the Constitution of the United States, providing to grant power to the United States

to levy and collect taxes on incomes, shall be submitted to the Democratic voters of Florida at the primary election, to be held in the year of 1912, and that the Secretary of State is hereby instructed to certify the same to the Democratic county executive committees of the several counties, and said Democratic county executive committees of the several counties shall cause same to be printed upon the official ballot at the Democratic primary election to be held in the year of 1912, and said Democratic committee shall make provisions for the Democratic voters to express themselves for or against said proposed amendment to the Constitution of the United States, and if the same shall be approved by a majority of the Democratic votes cast, the duty shall be upon the Legislature of 1913 to formally ratify said proposed amendment.

Pending the consideration of the passage of House Joint Resolution No. 10.

Mr. Dayton moved that the Senate do now take a recess to 4 o'clock p. m.

Which was agreed to.

Whereupon the Senate took a recess until 4 o'clock p. m.

#### AFTERNOON SESSION.

The Senate met pursuant to recess order at 4 o'clock p. m.

The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Cook, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, Humphries, Johnson, Malone, Massey, McCreary, McLeod, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—30.

A quorum present.

The Senate resumed the consideration of House Joint Resolution No. 10, which was read the third time in full this morning and the passage of which was pending at recess.

Mr. Dayton raised the point of order as to the legality of this Legislature to pass House Joint Resolution No. 10 citing page 12 of Section 19 of Article XVI of the Constitution of Florida.

The Chair ruled that it is the province of the Legislature to determine this point.

Mr. Henderson also called attention to page 29 of Section 19 of Article XVI of the Constitution of Florida, and moved that the further consideration of House Joint Resolution No. 10 be deferred to another day.

Mr. Calkins moved to amend the motion that the Joint Resolution be referred to a special joint committee of five, two from the Senate and three from the House to be appointed by the respective chairs of the two branches of this Legislature.

Mr. Calkins withdrew his motion.

Mr. Dayton moved that House Joint Resolution No. 10 be made a special order for consideration for 10:30 o'clock Tuesday, May 23, and that in the meantime it be referred to a special committee of five lawyers of the body to investigate the legality of passing the measure.

Which was agreed to.

The President appointed Messrs. Dayton, Hudson, Davis, Stokes and Williams as such committee.

Mr. Williams moved to waive the rules and to recall Senate Bill No. 214 from the Committee on Engrossed Bills for further amendment.

Which was agreed to by a two thirds' vote.

And the bill was recalled.

Mr. Williams moved to further waive the rules and that Senate Bill No. 214 be now take up for further amendment.

Which was agreed to by a two thirds' vote.

And—

Senate Bill No. 214:

A Bill to be entitled An Act to encourage, protect and develop the oyster industry of the State of Florida, and to increase the revenues of the State therefrom, by recognizing and declaring the ownership of the State in and to the bottoms of beds of the bodies of streams of water along the coast of the Gulf of Mexico and along the coast of the Atlantic Ocean within the jurisdiction of the State

of Florida not heretofore granted, for the purpose of giving exclusive rights to plant oyster; by prohibiting other alienations of same in fee; by recognizing and declaring the ownership of the State in and to all reefs of oysters growing naturally thereon; for the protection of those heretofore engaged in the growing of oysters; by creating the office of Oyster Commissioner of the State of Florida, and defining his powers and duties; by providing for the leasing of oyster lands belonging to the State; by providing for the licensing, registration and designation of vessels employed in the oyster industry; by levying a special assessment or privilege tax on oysters produced in said waters; and a police license on persons, firms, corporations and vessels engaged in the oyster industry; by providing for the manner of collecting, handling, depositing and disbursing the revenues derived from said industry, and the distribution of the surplus revenues; by providing for the protection and enlargement of the natural oyster reefs in this State and for the creating of artificial reefs or beds; by providing such other regulation and provisions as are necessary to properly carry out the objects and purposes of this Act; by providing penalties for the violation of this Act; and by repealing and superceding all laws on the same subject matter and in conflict with the provisions of this Act.

Was taken up for further amendment.

Mr. Williams offered the following amendment to—  
Senate Bill No. 214:

In Section 7, line 16, strike out, beginning with the words "State Treasurer," down to and inclusive of the words "Oyster Commissioner," in line 62 of said section, and insert in lieu thereof the following:

Comptroller. The State Treasurer shall receive the same and place said amount to the credit of the oyster industry in a book kept by him for that purpose. All warrants drawn on said oyster industry fund by the Comptroller shall specify the indebtedness said warrants are intended to liquidate, in whole or in part, which warrants the State Treasurer shall honor and pay out of any money to the credit of said oyster industry. The Comptroller shall on the 1st day of July of each and every year take 50 per cent of any and all surplus funds of the oyster industry as his books show to exist after providing for payment of all obligations incurred to said date. The said surplus



shall annually be credited by the Comptroller to the public school fund.

The fiscal year shall begin July 1 and end June 30 of each and every year.

The Comptroller shall not in any fiscal year draw warrants on said funds for more than twenty thousand dollars, and all funds in excess of that, save 50 per cent reserve funds heretofore provided for, shall be credited to the school fund as hereinbefore provided for. No warrant of the Comptroller of the State of Florida will be honored by the State Treasurer in excess of such a sum of money as may be to the credit of the oyster industry with the State Treasurer, nor shall the said Comptroller draw warrants in excess of such credit.

The funds from all licenses, rents and other sources, inclusive of the 2 per cent privilege tax hereinafter required, shall be collected by said Oyster Commissioner under such rules and regulations as he may prescribe, and he shall deposit the same to the credit of said oyster industry with the Comptroller, and all amounts so collected shall be placed to the credit of the oyster industry of the State of Florida by the Comptroller, who shall pay the requisitions of the Oyster Commissioner out of the funds to the credit of said oyster industry. Such privilege tax shall be collected under the rules and regulations to be promulgated by said Oyster Commissioner.

There being no further amendment Senate Bill No. 214, as amended, was referred to the Committee on Engrossed Bills.

The Secretary having called attention to an error in the Journal, Mr. Hilburn moved that the Journal of May 17 be corrected on page 12, immediately after the Message from the House of Representatives, relative to the concurrence by the House in the Senate amendment to House amendment to Senate Bill No. 55.

Which House amendment reads as follows:

In Section 1, line 4, strike out the words "electric headlights which electric," and insert in lieu thereof the following: "Headlights of not less than one thousand candlepower which headlight."

The Senate amendment to the said House amendment to Senate Bill No. 55 reads as follows:

Strike out the words "one thousand" where same ap-

pear in said amendment, and insert in lieu thereof the following: "Two thousand five hundred."

To make the Journal read as follows.

Mr. Hilburn moved that the Senate do now concur in the House amendment as amended by the Senate, and as amended by the Senate concurred in by the House of Representatives, as contained in the message.

Which was unanimously agreed to.

## INTRODUCTION OF RESOLUTIONS.

Mr. McMullen offered the following—

Senate Resolution No. 49:

Resolved, That the address of Dr. L. A. Bize, of Tampa, at the State Medical Association, in Tallahassee, Florida, upon the subject "The Medical Inspection of Schools in Florida," be spread upon the Journal for the information of the public.

Mr. McMullen moved the adoption of the resolution.

Which was agreed to.

The following is the address:

### THE MEDICAL INSPECTION OF SCHOOLS IN FLORIDA.

By L. A. Bize, M. D., Tampa, Fla.

In the reading of papers in the past, before your honorable body, I have tried to select subjects which would prove interesting not only to the eye, ear, nose and throat man, but to your society as a whole, and the subject which I have selected for this occasion, "The Medical Inspection of Schools in Florida," in one that I believe will appeal to all medical men, in fact to all who are connected with or interested in the betterment and safe-guarding of the health and vitality of the children of Florida.

Medical inspection is founded on a recognition of the close connection which exists between the physical and the mental condition of the child, and the whole process of education. It seeks to secure ultimately for every child, normal or defective, conditions of life compatible with that full and effective development of its organic functions, its special senses and its mental powers. The

trouble of the past seems to have been that in the zeal for stuffing the child with useful knowledge people forgot that he was an animal before he was a man. The bulk of the world's work is done not by human or even animal muscle, as it was in earlier periods, when so many of our people were brought up on the farm. Conditions have changed—from an agricultural people we have developed into a race of dwellers in towns and cities. Man has, to a large extent, harnessed the great powers of nature. He breaks his land with the gang plow; no longer sows or reaps by hand; he illuminates his night world with electricity; carries himself and his goods in elevators, steam vessels, railroad trains, automobiles, etc. In fact, I might go on indefinitely to enumerate wherein brain has taken the place of muscle. These changes are important to mankind, for they involve the chief agencies that have been responsible for the development into adults having a strong vitality and clean morals. To meet these changed conditions, the demand for medical inspection of schools becomes greater and greater.

The school is the only governmental department that directly assumes control of children's lives. Such control is maintained, roughly speaking, during the critical years of from seven to fourteen, and provides usually for their education only.

This is necessary as a matter of self-protection, but the State must also take cognizance of their physical welfare, for the same reason. Education and health go hand in hand, a sound mind in a sound body.

It would be better to sacrifice the education, if in order to attain it, the child must lay down his good health.

A clear distinction must be made between medical inspection solely for the detection of communicable diseases, and that physical examination, which aims to determine the physical condition and to discover defects and diseases.

Medical inspection for the detection of contagious diseases can only be performed by the department of health because of the necessity of legal authority; but to be effective, co-operation with the board of educators is absolutely necessary.

In New York, in a single year, fifteen thousand children were found to be suffering from a contagious eye disease, and sixty-five thousand other children were excluded

from school for various periods, because they were found to be actual sources of infection of various maladies, ranging from whooping cough to diphtheria.

The specialist comes in frequent contact with contagious eye diseases, which a teacher, with some instruction on the subject, would recognize as suspicious. These cases seldom come in contact with the health authorities, and this is so with many of the other milder contagious diseases which sometimes produce death.

The school is recognized as a permanent and possible focus and distributor of contagious diseases, hence needs permanent and thorough medical inspection.

Public schools are a public trust, and when the parent delivers his child to their care, he has a right to insist that the child under their supervision shall be safe from harm, and shall at least be handed back to him in as good condition as when received.

Effective physical examinations can only be conducted by the Board of Education under the supervision of, or in co-operation with, the Board of Health, because it involves the following of the child from grade to grade, and year to year.

With the changes in the length of the school term and the increase in the number of years of schooling demanded of the child, has come a great advance in the standard of the work required. When the standards were low, the work was not beyond the capacity of even the weaker children. All too often the care-free attitude of mind has been shared by the parent in the belief that all children have to have the commoner diseases, and the sooner the better. If the child breathes through his mouth, "he always did that, he will out-grow it; his cough is a slight cold; he always turns his head to the side when he writes or reads; it is a habit he got into; he has always been pale, it is nothing unusual."

Children are not made dullards or defective by the will of an inscrutable providence, but rather because of the law of cause and effect.

Probably the first system of medical inspection in the full, modern sense of the term, was that inaugurated in Brussels in 1874, when school physicians were appointed, who were required to visit the schools three times per

month. Later on, at Weisbaden a system was developed, providing for the examination of each child at the time of entering school, and again at their third, fifth and eighth years of school attendance. This examination consists of heart, lungs, spine, skin and the higher senses.

Blanks accompany the child from grade to grade. Twice a year the teacher records the height and weight of each individual pupil. In this way the development of the child is kept up with, and if any abnormal conditions develop, it is reported to the parent or physician.

By the Japanese system, which is similar, they are at any time able to tell how many children are in the schools in the Empire; how many are robust, medium or weak; how many have defective eyes, ears, etc., and what diseases are most prevalent in the schools at different ages. In this way the government is familiar at all times with the coming generation, as well as with the class of men at present in the Empire.

These systems have been elaborated on by different cities and States at various times. As to the best method, that is a question to be left with each community. Some have found the instruction of teachers, others the employment of visiting nurses, others the employment of physicians most satisfactory. No doubt the combination of all of these would prove most effective.

I could go on indefinitely giving you statistics and methods employed in different places, but it is sufficient to say, that wherever tried, it has proven a great success; and if adopted, will inevitably result in stronger men and women to coming generations.

The average school board if asked why it had not already established medical inspection, would in most cases give as a reason, "We cannot afford it." Experience has shown that an inspection not only to bar contagious diseases, but also to detect physical defects in the individual, can be made for about fifty cents per year for each pupil. In every city there are hundreds of pupils who take nine years' time to complete six years' work, each of them costs one-third more to be graduated than a normal child. Medical inspection would prevent a large part of this delinquency, and to the same extent save money to the Board of Education. This saving must be carefully calculated, before it is possible to admit the "not sufficient

funds" plea. Even on the grossest dollar and cent basis, when in addition it is considered that many lives will be saved, and quite as important, many potential paupers and criminals will be transformed into a strong and useful citizen, the plea of economy really becomes one of indifference or ignorance.

Mr. Theo. Roosevelt, on March the 10th, in Birmingham, Ala., addressed the National Child Labor Conference, on the conservation of childhood. In his address, he declared "that the future of the country rested with the children, and that unless steps are taken at once to protect the young, the citizens of the coming years will show a falling off of stature and sturdiness."

He called the attention of his hearers to the disappearance of the fighting men of England as they were known in history. When the South African war was fought, he said this was noted on every battle field. England's famous regiments were composed of smaller, weaker men and the requirements of stature and development of the recruiting service had to be lowered to fill the ranks.

When England realized what had happened, a campaign to alter conditions, and build up again a sturdy race began. It was meeting with success the Colonel said, but he appealed to his hearers to protect the children now, so that a similar campaign would not be necessary in the United States.

In concluding his address Col. Roosevelt spoke strongly for the establishment of a National Bureau of Children. Why Congress had not already done so, he did not understand.

It is true that this question is just beginning to receive the attention it deserves. Besides Colonel Roosevelt's address, Mr. Taft and many others of national prominence addressed a similar meeting in Washington City last month. Consider a moment the good to be derived from a system similar to the Japanese, to reiterate, the Japanese system consists in protecting the children from contagious diseases; the detection of abnormal conditions and the connection of same; a system of records are kept showing: How many children in the schools in the Empire; how many robust, medium or weak; how many have defective eyes, ears, etc.; what diseases are most prevalent in the schools at different seasons and ages. In this way the

government at all times is familiar with the coming generation, as well as with those at present in the Empire. From a military standpoint alone this is of great importance.

This movement in my opinion will soon be world-wide and will no doubt play an important part in the development of our country. You take the hook-worm proposition in the South for instance. I believe the only effective solution of it lies in compulsory medical inspection of schools. In this way examinations are not spasmodic and localized, but general, systematic, thorough and continuous year after year. Not only this, but take the education of the masses as to how best to guard against tuberculosis and other contagious diseases, and the laws of health and hygiene. There is no better way than to teach the child, and the natural result follows, the child teaches the parents. Upon an investigation made in 1904 in Massachusetts, where the medical inspection of schools is compulsory, it was found that of the children that needed attention only 16 per cent of them were suffering from contagious diseases, the other 84 per cent, representing cases of disability, not contagious, but serious enough to require that the child be sent home to preserve his health; in fact it has been claimed that 33 per cent of all pupils belong to this class.

Mr. Roosevelt's suggestion: the establishment of a Bureau of Children is a good one, but so much has been said about the centralization of government, interference in interstate affairs, and the fact that large bodies move slowly, makes it necessary for us to adopt some more rapid method, and that, I believe, can be secured in the passage of a State law providing for the compulsory medical examination of school children. For years our central and State governments have had departments in almost every branch of industrial and political science. Our agricultural, mining and live stock have been studied in such a way as to not only remedy defective conditions, but to bring about the best results. You can write the proper departments and promptly secure information relating to the cure and prevention of cholera in the hog, and in fact, I hold in my hand a bill to be presented at the present session of the Legislature, which reads as follows:

"By Mr. Jennings of Escambia—

"House Bill No. 107:

"A Bill to be entitled An Act to establish, maintain and operate a hog cholera serum plant, to authorize the Board of Control to make rules for the production and distribution of said serum, and to make appropriations therefor."

And you have no law which prevents your child going to school and contracting any of the contagious diseases which sometimes prove fatal.

As I remarked before, we have a right, when we turn our child over to legal authorities, to expect him returned to us in as good condition as when received. Not only should the proper authorities do this, but it should be their ambition to not only turn out graduates who rank at the top of literary learning, but who also rank as among the best specimens of physical development, for after all, what does the learning amount to, if the health is sacrificed in order to secure it?

The time is not far distant when laws controlling this condition will be either National, or at least universal with the States, and I for one say, let Florida get in the van of progress, all other crops are provided for, let's look after the crop of children.

"You kin praise de crop ob cel'ry  
Wid its many millions crates,  
You kin brag about de money  
Fom de orange crop so great,  
But der's one crop down in Fluridy  
Dat's de bigges' crop ob all,  
An dat yields a reg'lar harves'  
Summer, winter, spring an' fall.

You don' know what crop is bigges'?  
Go long man, and tek your res'!  
Why, de baby crop, you rascal  
Is de bigges' and de best!  
Cel'ry crop, it jest can't tech it  
By its side de fruit crop pales;  
Fo' de crop ob Fluridy babies  
Is de crop dat never fails."



## INTRODUCTION OF BILLS.

By Mr. Dayton—

Senate Bill No. 440:

A Bill to be entitled An Act regulating the determination of questions of fact and questions of law upon trials in the courts of this State, and providing for the entry of judgments.

Which was read the first time by its title and referred to the Committee on Judiciary A.

By Mr. Dayton—

Senate Bill No. 441:

A Bill to be entitled An Act to prohibit County Treasurers in this State from depositing public funds outside of the limits of the State of Florida.

Which was read the first time by its title and referred to the Committee on Judiciary A.

By Mr. Carney—

Senate Bill No. 442:

A Bill to be entitled An Act authorizing and empowering the Town Council of the Town of Bellview, in the County of Marion, and State of Florida, to pass and adopt ordinances for the prevention of the running at large upon its streets, alleys and lanes of hogs, cows or other cattle or other than domestic animals, and to provide for impounding of hogs, cattle or other animals so running at large upon its streets, alleys and lanes, and to empower police officers of the said town to impound same, and to fix his compensation and fees.

Which was read the first time by its title.

Mr. Carney moved to waive the rules and that Senate Bill No. 442 be not referred to a committee, but that it be placed on the Local Calendar of Bills on the Second reading.

Which was agreed to by a two thirds' vote, and the bill was so placed.

By Mr. Hudson—

Senate Bill No. 443:

A Bill to be entitled An Act to amend Section 1811 of the General Statutes as amended by Chapter 5641 of the

Laws of Florida, being An Act to amend Section 1811 of the General Statutes, fixing the regular terms of the Circuit Court of the Seventh Judicial Circuit.

Which was read the first time by its title and referred to the Committee on Judiciary A.

By Mr. Hudson—

Senate Bill No. 444:

A Bill to be entitled An Act to amend Sections 873, 874, 877, 879, 880, 881, 882, 883 and 884 of the General Statutes of the State of Florida, so as to provide for the issuing of bonds by special tax road districts for the construction and maintenance of hard surfaced roads within such districts.

Which was read the first time by its title and referred to the Committee on Judiciary A.

By Mr. Massey—

Senate Bill No. 445:

A Bill to be entitled An Act to prevent the waste and flow of water from artesian wells, and prescribing penalties therefor, and defining waste and artesian wells.

Which was read the first time by its title and referred to the Committee on Judiciary B.

By Mr. McMullen—

Senate Bill No. 446:

A Bill to be entitled An Act to provide for State aid for hospitals.

Which was read the first time by its title and referred to the Committee on Judiciary B.

By Committee on Governor's Message—

Senate Committee Bill No. 447:

A Bill to be entitled An Act providing for a reduction in the number of Justices of the Supreme Court of Florida.

Which was read the first time by its title.

Mr. Calkins moved that the rules be waived and that Senate Bill No. 447 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 447 was read a second time by its title only.

There being no amendment Senate Bill No. 447 was placed on the Calendar of Bills on the Third Reading.

By Mr. Stokes—

Senate Bill No. 448:

A Bill to be entitled An Act relating to the issuance of bonds and special tax bills; the assessment, levy and collection of taxes; the licensing, regulation and prohibition of businesses, occupations, trades and amusements, and the abatement of nuisances, by the City of Pensacola, and also to further alter and increase the jurisdiction, privileges and powers of said city in other matters pertaining to its general welfare, and to revise, suprecede or repeal conflicting laws.

Which was read the first time by its title.

Mr. Stokes moved that the rules be waived and that Senate Bill No. 448 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 448 was read a second time by its title and was referred to the Committee on Appropriations.

By Mr. Sloan—

Senate Bill No. 449:

A Bill to be entitled An Act to provide for the appointment of a commissioner for the State of Florida to act in concert with the Pennsylvania "Fiftieth Anniversary of the Battle of Gettysburg Commission," in all arrangements for having the State of Florida adequately represented at said anniversary celebration; to define the duties of said commissioner and to fix his compensation for the performance of said duties.

Which was read the first time by its title and referred to the Committee on Appropriations.

By Mr. Sloan—

Senate Bill No. 450:

A Bill to be entitled An Act to enforce better sanitary conditions in inns and hotels, boarding houses and restaurants with respect to linens, beds, closets, toilet rooms,

privies and screening of kitchens and dining rooms; to define offenses for violations of this Act and to fix fines and punishment therefor.

Which was read the first time by its title and referred to the Committee on Public Health.

### MESSAGES FROM THE GOVERNOR.

The following message from the Governor was read:

State of Florida,  
Executive Department,  
Tallahassee, Fla., May 18, 1911.

*Hon. F. P. Cone,*  
*President of the Senate.*

*Sir:*

On May 10, 1911, I had the honor to communicate to you the fact that I had approved and signed a certain bill, the title of which was stated in my said communication as follows:

An Act to prohibit bets or wagers upon the result of any trial or contest of skill, speed or power of endurance of man or beast, and to prohibit any person from receiving anything of value, bet or wagered upon any such result, and to prohibit any person from becoming the custodian or depository of any money or other thing bet or wagered upon any such result, and forbidding any person from aiding, assisting or abetting any such acts, and repealing Section 3381 of the General Statutes of the State of Florida.

It has been discovered that in the writing of the said communication a slight but important typographical error occurred; on account of which I now have the honor to inform you that the correct title of the said bill which was approved and signed by me was as follows:

An Act to prohibit bets or wagers upon the result of any trial or contest of skill, speed or power of endurance of man or beast, and to prohibit any person from receiving anything of value, bet or wagered upon any such result, and to prohibit any person from becoming the custodian or depository of any money or thing bet or wagered upon any such result, and forbidding any person from aiding, assisting or abetting any such acts, and re-

pealing Section 3581 of the General Statutes of the State of Florida.

Very respectfully,

ALBERT W. GILCHRIST,  
Governor.

MESSAGES FROM THE HOUSE OF  
REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 18, 1911.

*Hon. F. P. Cone,*  
*President of the Senate.*

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives respectfully requests the Senate to return to the House of Representatives—

House Bill No. 141:

A Bill to be entitled An Act to abolish the present convict lease system, to provide for the maintenance of the State and county convicts, and providing for the working of the said State and county convicts upon the public roads.

Very respectfully,

J. G. KELLUM,  
Chief Clerk of the House of Representatives.

Mr. Johnson moved that the request of the House be granted and that House Bill No. 141 be returned.

Which was agreed to.

The following message from the House of Representatives was read.

House of Representatives,  
Tallahassee, Fla., May 18, 1911.

*Hon. F. P. Cone,*  
*President of the Senate.*

*Sir:*

I am directed by the House of Representatives to in-

form the Senate that the House of Representatives has receded from its amendments to—

Senate Substitute for Senate Bill No. 209:

A Bill to be entitled An Act creating three additional Judicial Circuits in the State of Florida, to be known and designated as Ninth, Tenth and Eleventh Judicial Circuits and defining and fixing the territorial limits and boundaries of such additional circuits, and defining and fixing the territorial boundaries of the eight existing judicial circuits.

Which amendments were as follows:

In Section 7, line 1, strike out the word "Sixth" and insert in lieu thereof the following: "Tenth."

Also—

In Section 11, line 1, strike out the word "Tenth" and insert in lieu thereof the following: "Sixth."

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 209 was referred to the Committee on Engrossed Bills.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 18, 1911.

*Hon. F. P. Cone,*

*President of the Senate.*

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted—

House Concurrent Resolution No. 24:

A Concurrent Resolution relative to the American Jews being denied admittance to the domain of the Czar of Russia.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

Which went over under the rules.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 18, 1911.

*Hon. F. P. Cone,*  
*President of the Senate.*

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

Senate Bill No. 382:

A Bill to be entitled An Act regulating the manner of catching fish in the fresh water lakes and streams of Leon County, and providing punishment for the violations of this Act.

Also—

Substitute for Senate Bill No. 229:

A Bill to be entitled An Act to prevent the hunting, chasing, trapping, shooting or killing of deer, turkey and quail in the Counties of Taylor and Lafayette for the term of five years.

Also—

Senate Bill No. 393:

A Bill to be entitled An Act to amend Section 4 of Chapter 6057 of the Laws of Florida, being entitled An Act to incorporate the Town of Gretna, in Gadsden County, Florida; to establish a municipal government for said town; to provide for its government, and to prescribe its jurisdiction and powers.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,  
Chief Clerk of the House of Representatives.

And Senate Bills Nos. 382, 229 and 393 were referred to the Committee on Enrolled Bills.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 18, 1911.

*Hon. F. P. Cone,*  
*President of the Senate.*

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Bill No. 620:

A Bill to be entitled An Act to protect squirrels in Nassau County, Florida.

Also—

House Bill No. 605:

A Bill to be entitled An Act to authorize the Board of Commissioners of Public Works of the City of Tampa, Florida, to grade, curb and pave certain streets, avenues and thoroughfares in the City of Tampa, and to enter into a contract therefor, and to validate and legalize all contracts for the grading, curbing and paving of said streets, avenues and thoroughfares and to legalize and validate all paving certificates hereafter issued by the said city against the property abutting on said streets, avenues or thoroughfares for said improvements hereby authorized.

Also—

House Bill No. 636:

A Bill to be entitled An Act to prohibit the shooting, trapping, or molesting squirrels and doves in Santa Rosa and Escambia counties, Florida, and providing a penalty therefor from the 1st day of March to the 1st day of October in each year hereafter.

Also—

House Bill No. 637:

A Bill to be entitled An Act enabling the Town of Eustis to impound stock of all kinds.

Also—

House Bill No. 589:

A Bill to be entitled An Act prohibiting the hunting and chasing or killing of any of the wild animals of Lee County, Florida, except during the months of November, December and January, and declaring the violation thereof to be a misdemeanor.



And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,  
Chief Clerk of the House of Representatives.

And House Bill No. 620, contained in the above message, was read the first time by its title and placed on the Local Calendar of Bills on the Second Reading.

And House Bill No. 605, contained in the above message, was read the first time by its title and was placed on the Local Calendar of Bills on the Second Reading.

And House Bill No. 636, contained in the above message, was read the first time by its title and was placed on the Local Calendar of Bills on the Second Reading.

And House Bill No. 637, contained in the above message, was read the first time by its title and was placed on the Local Calendar of Bills on the Second Reading.

And House Bill No. 589, contained in the above message, was read the first time by its title and was placed on the Local Calendar of Bills on the Second Reading.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., May 18, 1911.

Hon. F. P. Cone,  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Bill No. 120:

A Bill to be entitled An Act appropriating money for the benefit and maintenance of the Florida State Reform School.

Also—

House Bill No. 627:

A Bill to be entitled An Act empowering the City of Kissimmee to improve the streets, alleys and sidewalks within said city; to assess abutting owners for a part of the cost of such improvement, and to enforce the collection of such cost by proceedings in rem.

Also—

House Bill No. 624:

A Bill to be entitled An Act relating to the sewerage system of the Town of Perry, Florida, and authorizing the draining of the sewage into what is known as Spring Creek.

Also—

House Bill No. 628:

A Bill to be entitled An Act to legalize the election held in the City of Arcadia on the 16th day of May, A. D. 1911, to determine by an affirmative vote of a majority of the electors of said city voting at the said election, whether or not the bonds proposed by an ordinance entitled "An Ordinance to provide for calling an election in the City of Arcadia to determine whether said city shall issue bonds for the following purposes, to-wit: Constructing and maintaining a system of waterworks, constructing and maintaining a system of sewerage, and opening, widening and paving the streets of said city," passed by the City Council of said city on the 10th day of April, 1911, and approved on the 10th day of April, 1911, should be authorized and issued, and to declare and render valid said election and the results as shown by the returns thereof, and to declare and render valid said ordinance and to authorize the issue of bonds as provided by said ordinance.

Also—

House Bill No. 623:

A Bill to be entitled An Act to establish the municipality of the Town of Bunnell; to provide for its government; to fix its territorial limits, and to prescribe its jurisdiction and powers.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 120, contained in the above message, was read the first time by its title and referred to the Committee on Appropriations.

And House Bill No. 627, contained in the above message, was read the first time by its title and was placed on the Local Calendar of Bills on the Second Reading.

And House Bill No. 624, contained in the above message, was read the first time by its title and was placed on the Local Calendar of Bills.

And House Bill No. 628, contained in the above message, was read the first time by its title and was placed on the Local Calendar of Bills on the Second Reading.

And House Bill No. 623, contained in the above message, was read the first time by its title and was placed on the Local Calendar of Bills on the Second Reading.

Mr. Wilson moved that House Bill No. 120 be withdrawn from its reference and be placed on the Calendar of Bills on the Second Reading.

Which was withdrawn.

The following message from the House of Representatives was read :

House of Representatives,  
Tallahassee, Fla., May 18, 1911.

*Hon. F. P. Cone,*  
*President of the Senate.*

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Bill No. 630:

A Bill to be entitled An Act relating to the issuance of bonds and special tax bills; the assessment, levy and collection of taxes; the licensing, regulation and prohibition of businesses, occupations, trades and amusements, and the abatement of nuisances, by the City of Pensacola, and also to further alter and increase the jurisdiction, privileges and powers of said city in other matters pertaining to its general welfare, and to revise, supersede or repeal conflicting laws.

Also—

House Bill No. 631:

A Bill to be entitled An Act for the relief of J. M. Andrews, William J. Sennott, James R. Stewart, John A. Wiggins and L. M. Davis, ex-members of the Board of County Commissioners of Escambia County, Florida, and to reimburse the said J. M. Andrews, William J. Sennott, James R. Stewart, John A. Wiggins and L. M. Davis for

money paid by them to the said Escambia County, Florida.

Also—

House Bill No. 632:

A Bill to be entitled An Act to amend Sections 30, 31 and 60 of Chapter 5080, Laws of Florida, approved May 29, 1901, entitled An Act to abolish the present municipal government of the Town of Arcadia, in the County of De-Soto, State of Florida, and to establish, organize and constitute a municipality to be known and designated as the City of Arcadia, and to define its territorial boundaries, and to provide for its jurisdiction, powers and privileges.

Also—

House Bill No. 633:

A Bill to be entitled An Act to provide for the assessment and collection of the taxes for the City of Arcadia, and for the collection of the back taxes and tax sale certificates of said city.

Also—

House Bill No. 634:

A Bill to be entitled An Act to amend Section 16 of Chapter 4777, Laws of Florida, Acts of 1899, relating to roads and bridges in Brevard County, Florida.

Also—

House Bill No. 635:

A Bill to be entitled An Act to legalize and validate a call for an election, and an election held in pursuance of such call in the Town of Milton, Santa Rosa County, Florida, on the 26th day of April, A. D. 1910, for the purpose of determining whether or not said town should issue certain bonds, and to legalize and validate the bonds issued in pursuance of said election.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 630, contained in the above message, was read the first time by its title and was placed on the Local Calendar of Bills on the Second Reading.

And House Bill No. 631, contained in the above message, was read the first time by its title and was placed on the Local Calendar of Bills on the Second Reading.

And House Bill No. 632, contained in the above message, was read the first time by its title and was placed on the Local Calendar of Bills on the Third Reading.

And House Bill No. 633, contained in the above message, was read the first time by its title and was placed on the Local Calendar of Bills on the Second Reading.

And House Bill No. 634, contained in the above message, was read the first time by its title and was placed on the Local Calendar of Bills on the Second Reading.

And House Bill No. 635, contained in the above message, was read the first time by its title and was placed on the Local Calendar of Bills on the Second Reading.

#### ORDERS OF THE DAY.

Mr. Massey moved that Senate Bill No. 154 be made a special order for consideration at 10 o'clock tomorrow.

Which was agreed to.

Mr. Flournoy moved that Senate Bill No. 158 be made an order of the day for 11 o'clock tomorrow.

Which was agreed to.

Mr. McMullen moved that House Bill No. 247 be taken up out of its order and now considered.

Which was agreed to by a two thirds' vote.

And—

House Bill No. 247:

A Bill to be entitled An Act providing for the creation of Pinellas County in the State of Florida and for the organization and government thereof.

Was taken up.

Mr. McMullen moved that the rules be waived and House Bill No. 247 be read a second time by its title only.

Which was agreed to by a two thirds' vote.

And House Bill No. 247 was read a second time by its title only.

The following Senate Committee Amendment to House Bill No. 247 was read:

Committee Amendment No. 1:

Strike out Section 20 and insert in lieu thereof the following:

Section 20. The foregoing sections of this Act shall take effect upon their ratification by the affirmative vote

of three fifths of the votes cast at an election to be held in the territory hereinbefore set forth as the County of Pinellas.

Mr. McCreary moved to adopt the amendment.

Which was agreed to.

Also the following committee amendment was read—

Committee Amendment No. 2:

Add the following section:

Section 21. The election provided for in Section 20 of this Act shall be held on the second Tuesday of November, A. D. 1911. The County Commissioners and the Supervisor of Registration of Hillsboro County shall discharge such duties in connection with the calling and holding of said elections as are now required of them by law for general elections, and the said election shall be governed in all respects by the law for holding general elections, except as otherwise provided herein, or not inconsistent herewith. No notice of said election shall be necessary. Those who are duly qualified to vote within the territorial limits of said proposed County of Pinellas shall be qualified electors at said election.

Mr. McCreary moved to adopt the amendment.

Which was agreed to.

Mr. McMullen offered the following amendment to House Bill No. 247:

In Section 1, line 6, strike out all after the word "Section" down to and including the word "South" in the eighth line, and insert in lieu thereof the words: "Seven (7) in Township Twenty-eighth (28) South, Range Sixteen (16) East; then south to the southeast corner of Section Eighteen (18) in Township Twenty-nine (29) South, Range Sixteen (16) East; then due east."

Mr. McMullen moved to adopt the amendment.

Upon which a yea and nay vote was demanded.

The roll was called and the vote was:

Yeas—Senators Culpepper, Davis, Flournoy, Henderson, Hilburn, Humphries, Malone, Massey, McMullen, Perkins, Williams, Withers—12.

Nays—Senators Adkins, Baker, Broome, Calkins, Cook, Dayton, Finlayson, Hosford, Hudson, Johnson, McCreary, McLeod, Miller, Wilson, Zim—15.

So the amendment was not adopted.

Mr. McMullen offered the following amendment to House Bill No. 247:

In Section 1, line 5, strike out the words "dividing Townships Twenty-six and Twenty-seven," and insert in lieu thereof the following: "one mile South and parallel with the line dividing Townships Twenty-seven (27) and Twenty-eight (28)."

Which was withdrawn.

Mr. McMullen moved that the rules be further waived and that House Bill No. 247 be read a third time in full and put upon its passage.

Which was agreed to by a two thirds' vote.

And House Bill No. 247 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Senators Adkins, Baker, Broome, Calkins, Cook, Culpepper, Davis, Hosford, Hudson, Johnson, Malone, Massey, McCreary, McLeod, Miller, Stokes, Williams, Wilson, Withers, Zim—20.

Nays—Senators Dayton, Finlayson, Flournoy, Henderson, Hilburn, Humphries, McMullen, Perkins, Sloan—9.

So House Bill No. 247 as amended by the Senate passed, title as stated.

And the same was ordered to be certified to the House of Representatives.

A telegram from Hon. John S. Beard relative to House bill on the Wailes claim was read.

Mr. Massey moved that the fact that a telegram was received from Hon. John S. Beard relative to House bill on Wailes claim be noted in the Journal, but that the telegram be not spread at large thereon.

Mr. Stokes moved as a substitute to the motion that the telegram be spread on the Journal.

The substitute was not agreed to.

The question recurred upon the motion of Mr. Massey.

The motion of Mr. Massey was agreed to.

Mr. Hilburn was excused indefinitely from attendance on the body on account of death in the family.

Mr. Humphries was excused from attendance on the body for tomorrow.

By permission, the following reports were submitted:

Mr. Culpepper, Chairman of the Committee on Enrolled Bills, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 18, 1911.

*Hon. F. P. Cone,*  
*President of the Senate.*

*Sir:*

Your Committee on Enrolled Bills, to whom was referred—

An Act to create a State School Book Commission and to procure for use in the public schools of the State of Florida a uniform series of text-books, and to define the duties and powers of said commission to make preparations for carrying this Act into effect, and providing penalties for violation of same.

Also—

An Act to require that all railroad locomotives operated and used for drawing passenger and freight trains shall be equipped with and use a headlight, and providing a penalty for violation of said Act.

Also—

An Act to aid the Florida Division of Confederate Veterans to erect in this State a monument or memorial in honor of the women of Florida and of the South, in memory of their heroism, devotion and self-sacrifice during the Civil War in 1861-1865, and to appropriate five thousand dollars therefor.

Also—

An Act to provide for an Inspector of Nursery Stock.

Also—

A Joint Resolution proposing an amendment to Article V of the Constitution of the State of Florida, relative to the Judiciary Departments.

Also—

An Act to amend Section 1 of Chapter 5431, being An Act for the protection of shad in this State, to prescribe a closed season thereon; to prohibit the transportation or possession of such shad during such closed season.

Also—

An Act to amend Chapter 5609 of the Laws of Florida.  
Has carefully examined the same and finds them correctly enrolled.

Very respectfully,

C. T. CULPEPPER  
Chairman of Committee.



And the Acts contained in the above report, were referred to the Joint Committee on Enrolled Bills.

The Committee on Game and Fisheries reported unfavorably on—

Senate Bill No. 424:

A Bill to be entitled An Act to protect the game of the State of Florida, and to define what birds and animals shall be classed as game, and to regulate the taking of the same, and to provide closed season for the taking of the same, and to provide for deriving a revenue therefrom, and to provide for license to hunt the same, and to provide who shall be Game Commissioner and Deputy Game Commissioners, and to provide for their compensation, and to provide for rewards for capturing or killing certain wild animals, and to fix license fees, and to provide for the protection of game birds, and game animals during certain seasons in certain localities, and to regulate the introduction of foreign game and animals and for the protection of the same, and to provide for the establishing of private game reserves, and to provide for the protection of private game reserves, and to provide for the protection of game and State lands and State preserves, and to provide for the protection of certain game birds introduced into this State, and to provide for the punishment of violations of this Act.

The Committee on Public Roads and Highways, to whom was referred—

Senate Bill No. 429:

A Bill to be entitled An Act to prevent persons from traveling upon or using that portion of the public roads in any of the counties of this State that are being graded or hard surfaced under any contract made by the respective Boards of County Commissioners of such counties, and to provide a penalty therefor.

Begs leave to substitute the following:

A Bill to be entitled An Act to prevent persons from traveling upon or using that portion of the public roads in any of the counties of this State that are being graded or hard surfaced under any contract made by or under the authorities of County Commissioners of such counties and to provide a penalty therefor.

And recommends that the substitute do pass.

The Committee on Judiciary B reported without recommendation on—

Senate Bill No. 336:

A Bill to be entitled An Act to require railroad companies to provide facilities and equipment for handling express matter and to provide for the enforcement thereof.

Mr. Culpepper, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 18, 1911.

*Hon. F. P. Cone,*  
*President of the Senate.*

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred—

An Act to create a State School Book Commission and to procure for use in the public schools of the State of Florida a uniform series of text books, and to define the duties and powers of said commission to make preparations for carrying this Act into effect, and providing penalties for violation of same.

Also—

An Act to require that all railroad locomotives operated and used for drawing passenger and freight trains shall be equipped with and use a headlight and providing a penalty for a violation of said Act.

Also—

An Act to aid the Florida Division of Confederate Veterans to erect in this State a monument or memorial in honor of the women of Florida and of the South in memory of their heroism, devotion and self-sacrifice during the civil war in 1861-1865, and to appropriate five thousand dollars therefor.

Also—

An Act to provide for an inspector of nursery stock.

Also—

A Joint Resolution proposing an amendment to Article V of the Constitution of the State of Florida relative to the Judiciary Departments.

Also—

An Act to amend Section 1 of Chapter 5431, being An

Act for the protection of shad in this State, to prescribe a close season thereon, to prohibit the transportation or possession of such shad during such closed season.

Also—

An Act to amend Chapter 5609 of the Laws of Florida.

Has carefully examined the same and finds them correctly enrolled.

Very respectfully,

C. T. CULPEPPER,  
Chairman of Committee.

The Acts contained in the above report were ordered referred to the Joint Committee on Enrolled Bills, to be conveyed to the House of Representatives for the signature of the Speaker and Chief Clerk thereof.

The Committee on Judiciary B reported favorably on—  
House Bill No. 591:

A Bill to be entitled An Act to repeal Chapter 5888 of the Laws of Florida, approved June 8, 1909, entitled An Act prohibiting fire insurance companies from combining as to what rate of commission shall be paid by any other company to an agent.

The Committee on Judiciary B reported favorably on—  
Senate Bill No. 26:

A Bill to be entitled An Act to provide for attorney's fee in certain cases on appeal or writ of error.

The Committee on Judiciary B reported favorably on—  
Senate Bill No. 421:

A Bill to be entitled An Act to define the quality of and fix the standard of sweetened condensed milk and evaporated (unsweetened) condensed milk; to prevent the sale or exchange of impure or skimmed milk, and to provide a penalty therefor.

The Committee on Pensions reported favorably on—  
House Bill No. 284:

A Bill to be entitled An Act to amend Chapter 5877, Laws of Florida, being An Act to make an appropriation for the support and maintenance of the Confederate Soldiers and Sailors' Home in Jacksonville, Florida.

The Committee on Judiciary A reported favorably on—  
House Bill No. 125:

A Bill to be entitled An Act to confer upon the Railroad Commissioners of the State of Florida jurisdiction to regulate the service and charges of telephone companies operating in this State.

Amended as follows:

In Section 1, in lines 5 and 15, after the word "regulate," add the following: "the service and."

The Committee on Judiciary A reported favorably on—  
Senate Bill No. 389:

A Bill to be entitled An Act to provide for removing clouds from titles and adjudicating, quieting and establishing titles to, interest in and incumbrance on real estate, the title to or interest in which is claimed under grants or donations from the Spanish or English governments, and authorizing and providing for making defendants of all persons and corporations having or claiming to have an estate or interest in or incumbrance on any such real estate, whether known or unknown, and regardless of legal disabilities, and providing for the service of process on such persons and corporations by publication of notice and authorizing and providing for the adjudication, quieting and establishment by decree of the titles, estates and interests of all persons and corporations in any way interested in such real estate or incumbrances thereon, and authorizing and providing for the partition by sale or otherwise of such real estate.

Mr. Culpepper, Chairman of Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 18, 1911.

*Hon. F. P. Cone,*  
*President of the Senate.*

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred—

Senate Substitute for—

Senate Bill No. 209:

An Act creating three additional Judicial Circuits in the State of Florida, to be known and designated as

Ninth, Tenth and Eleventh Judicial Circuits, and defining and fixing the territorial limits and boundaries of such additional circuits and defining and fixing the territorial limits and boundaries of the eight existing Judicial Circuits.

Has carefully examined the same and finds it correctly enrolled.

Very respectfully,

C. T. CULPEPPER,  
Chairman of Committee.

The Act contained in the above report, was ordered referred to the Joint Committee on Enrolled Bills, to be conveyed to the House of Representatives for the signatures of the Speaker and Chief Clerk thereof.

The Committee on Judiciary A reported unfavorably on—

Senate Bill No. 88:

A Bill to be entitled An Act to prohibit the keeping, maintaining or patronizing houses of ill fame and other disorderly houses and the letting of premises for such purposes and providing a penalty therefor.

The Committee on Judiciary A reported favorably on—  
Senate Bill No. 223:

A Bill to be entitled An Act relating to service of process against foreign insurance and surety companies.

Reports a substitute as follows:

Committee Substitute for—

Senate Bill No. 223:

A Bill to be entitled An Act relating to service of process against foreign insurance and surety companies.

The Committee on Judiciary A reported the following substitute for—

Senate Bill No. 389:

A Bill to be entitled An Act to provide for the removing clouds from titles and adjudicating, quieting and establishing titles to, interest in, and incumbrance on real estate, the title to or interest in which is claimed under grants or donations from the Spanish or English Government and authorizing and providing for making defend-

ants of all persons and corporations having or claiming to have an estate or interest in or incumbrance on any such real estate, whether known or unknown, and regardless of legal disabilities, and providing for the service of process on such persons and corporations by publication of notice and authorizing and providing for adjudication, quieting and establishment by decree of the titles, estates and interests of all persons and corporations in any way interested in such real estate or incumbrances thereon, and authorizing and providing for the partition by sale or otherwise of such real estate.

The Committee on Judiciary A reported unfavorably on—

Senate Bill No. 407:

A Bill to be entitled An Act making an appropriation for, and directing the payment of certain vouchers heretofore issued by the Board of Control.

Mr. Culpepper, Chairman of the Committee on Enrolled Bills, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., May 18, 1911.

*Hon. F. P. Cone,*  
*President of the Senate.*

Sir:

Your Committee on Enrolled Bills, to whom was referred—

Senate Substitute for Senate Bill No. 209:

An Act creating three additional Judicial Circuits in the State of Florida, to be known and designated as Ninth, Tenth, and Eleventh Judicial Circuits, and defining and fixing the territorial limits and boundaries of such additional circuits, and defining and fixing the territorial limits and boundaries of the eight existing Judicial Circuits.

Has carefully examined the same and finds it correctly enrolled.

Very respectfully,

C. T. CULPEPPER,  
Chairman of Committee

And the Act contained in the above report was referred to the Joint Committee on Enrolled Bills.

The Committee on Judiciary A reported favorably on—  
Committee Substitute for Senate Bill No. 223:

A Bill to be entitled An Act relating to service of process against foreign insurance and surety companies.

Mr. Miller moved that the Senate do now adjourn until tomorrow morning at 10 o'clock.

Which was agreed to.

Whereupon the Senate stood adjourned until 10 o'clock a. m., Friday, May 19, 1911.

## FRIDAY, MAY 19, 1911.

10 O'CLOCK A. M.

The Senate met pursuant to adjournment.

The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Cook, Culpepper, Davis, Dayton, Finlayson, Fournoy, Henderson, Hosford, Hudson, Humphries, Johnson, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—31.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal of May 18 was dispensed with.

The Journal of May 18 was corrected and approved as corrected.

## REPORTS OF COMMITTEES.

The committee appointed under a resolution adopted by the Legislature of 1909 to confer with the Ponce de Leon Association of St. Augustine and to report to this Legislature how the State may best co-operate in a fitting celebration of the four hundredth anniversary of the landing place of Ponce de Leon in America, submitted the following report: